

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONERIN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIAANDREW FIELDS

Full Name of Plaintiff

Inmate Number

v.

FEDERAL BUREAU PRISONS

Name of Defendant 1

BRADIEY (WARDEN)

Name of Defendant 2

ECKHART (A.W)

Name of Defendant 3

JOHN DOE (CUSTODY WARDEN)

Name of Defendant 4

JOHN DOE (CAPTAIN)

Name of Defendant 5

(Print the names of all defendants. If the names of all defendants do not fit in this space, you may attach additional pages. Do not include addresses in this section).

Civil No. _____

(to be filled in by the Clerk's Office)

☒ Demand for Jury Trial☐ No Jury Trial DemandFILED
SCRANTON

JUN 14 2021

PER SA
DEPUTY CLERK

I. NATURE OF COMPLAINT

Indicate below the federal legal basis for your claim, if known.

☐ Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)☒ Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)☐ Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the United States

II. ADDRESSES AND INFORMATION

A. PLAINTIFF

Fields, Andrew

Name (Last, First, MI)

04595-033

Inmate Number

UNITED STATES PENITENTIARY CANAAN

Place of Confinement

P.O. BOX 30 WAYMART, PA 18472

Address

City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced state prisoner

☒ Convicted and sentenced federal prisoner

B. DEFENDANT(S)

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1:

C. FRISK (LIEUTENANT)

Name (Last, First)

LIEUTENANT

Current Job Title

USP CANAAN, P.O. BOX 30

Current Work Address

WAYMART, PA 18472

City, County, State, Zip Code

Defendant 2:

C. HEENAN

Name (Last, First)

S.O.S

Current Job Title

U.S.P CANAAN, P.O. Box 30

Current Work Address

WAYMART, PA 18472

City, County, State, Zip Code

Defendant 3:

J. Voda

Name (Last, First)

S.O.S

Current Job Title

U.S.P CANAAN, P.O. Box 30

Current Work Address

WAYMART, PA 18472

City, County, State, Zip Code

Defendant 4:

J. Schwartz

Name (Last, First)

S.O.S

Current Job Title

WAYMART, PA 18472

Current Work Address

U.S.P CANAAN, P.O. Box 30

City, County, State, Zip Code

Defendant 5:

A. BURGHI

Name (Last, First)

S.O.S

Current Job Title

U.S.P CANAAN, P.O. Box 30

Current Work Address

WAYMART, PA 18472

City, County, State, Zip Code

OFFICER Rollison CURRENT job title is (S.O.S) AT UNITED STATES PENITENTIARY CANAAN, P.O. Box 30, WAYMART, PA 18472

OFFICER P. MILLER CURRENT job title is (S.O.S) AT UNITED STATES PENITENTIARY CANAAN, P.O. Box 30, WAYMART, PA 18472

UNIT MANAGER FRIES CURRENT job title is (E-2) UNIT MANAGER AT UNITED STATES PENITENTIARY CANAAN P.O. Box 30, WAYMART, PA 18472

COUNSELOR T. OLIVER CURRENT job is COUNSELOR OF (E-2) UNIT AT UNITED STATES PENITENTIARY CANAAN

OFFICER DEFEBO (N) CURRENT job title is (S.O.S) AT UNITED STATES PENITENTIARY CANAAN, P.O. Box 30 WAYMART, PA 18472

OFFICER JOHN DOE CURRENT job title is (S.O.S) AT UNITED STATES PENITENTIARY CANAAN, P.O. Box 30, WAYMART, PA 18472

OFFICER JANE DOE CURRENT job title is (S.O.S) AT UNITED STATES PENITENTIARY CANAAN, P.O. Box 30 WAYMART, PA 18472

OFFICER SICLARI CURRENT job title is (S.O.S) AT UNITED STATES PENITENTIARY CANAAN, P.O. Box 30 WAYMART, PA 18472

OFFICER OBIOSHNY CURRENT job title is (S.O.S) AT UNITED STATES PENITENTIARY CANAAN, P.O. Box 30, WAYMART, PA 18472

III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

A. Describe where and when the events giving rise to your claim(s) arose.

UNITED STATES PENITENTIARY CANAAN
E-2 HOUSING UNIT AND UNITED STATES
PENITENTIARY CANAAN, SPECIAL HOUSING UNIT

B. On what date did the events giving rise to your claim(s) occur?

FROM FEBRUARY 2021 - APRIL 2021

C. What are the facts underlying your claim(s)? (For example: What happened to you?
Who did what?)

PLEASE SEE ATTACHMENTS

IV. LEGAL CLAIM(S)

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

PLEASE SEE ATTACHMENTS

V. INJURY

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

PLAINTIFF HAS SUFFERED FROM MENTAL AND PHYSICAL INJURY

VI. RELIEF

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

PLAINTIFF REQUESTS IMMEDIATE RELEASE FROM F.B.O.P. CUSTODY AND COMPASATIONAL DAMAGES OF \$50 million dollars, No CENT [Fifty Million Dollars, No CENT]

VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.

Andrew Fields

Signature of Plaintiff

5/28/2021

Date

CLAIM I

(A.) BIAS INVESTIGATIONS, DISCRIMINATION FOR HAVING A HISTORY OF PENAL INFRACTIONS OF CODE 205 ENGAGEING IN SEXUAL ACTS. AND SUBJECTING PLAINTIFF TO MALICIOUS PERSECUTION.

1. WARDEN BRADLEY IS THE WARDEN AT UNITED STATES PENITENTIARY CANAAN WHO AUTHORIZED AND APPROVED THE S.H.U ADMINISTRATIVE DETENTION LOCK UP ORDER ALONG WITH THE WARDEN OF CUSTODY AND U.S.P CANAAN CAPTAIN TO HAVE PLAINTIFF MALICIOUSLY DETAINED AND PLACED IN THE SPECIAL HOUSING UNIT AT U.S.P CANAAN UNDER INVESTIGATION AND SUSPECTION FOR HAVING BEEN AND POSSIBLY WILL ENGAGEING IN A SEXUAL ACT. PLAINTIFF REMAINED IN THE UNITED STATES PENITENTIARY CANAAN SPECIAL HOUSING UNIT UNDER INVESTIGATION FROM FEBRUARY 12, 2021 TO APRIL 13, 2021

2. OFFICER P. MILLER, BAUER, BARIGHT AND OTHER JOHN DOE SECOND SHIFT SPECIAL HOUSING UNIT OFFICERS COLLECTED LEGAL MAIL FROM PLAINTIFF DURING THE MONTH OF FEBRUARY 2021., e.g., Motion to SHOW CAUSE, Notice of Change of Address going to (3) DIFFERANT UNITED STATES DISTRICT COURTHOUSES
3. ON APRIL 25, 2021 OFFICER P. MILLER COLLECTED A LETTER (LEGAL MAIL) I.E., LETTER FOR COMPASSIONATE RELEASE.
4. ON MAY 5, 2021 OFFICER A. MC CUNE COLLECTED LETTER FROM PLAINTIFF ADDRESSED TO THE INTERNAL REVENUE SERVICE IN AN ATTEMPT TO CORRECT A ERROR ON HIS 1040 FORM FOR A INCORRECT ADDRESS. PLAINTIFF BELIEVES THESE MAILINGS WHERE NOT PROCESSED.
5. FROM FEBRUARY-APRIL 2021 OFFICER P. MILLER DENIED PLAINTIFF TRIPS TO THE U.S.P CANAAN (SHU) LAW LIBRARY AND AGAIN FROM APRIL 2021 UNTIL BEING TRANSFER OFFICER P. MILLER AND OFFICER N. DEFEBO DENIED PLAINTIFF TRIPS TO THE USP CANAAN LAW LIBRARY.

(E) REFUSEING to PROCESS PLAINTIFFS REQUESTS
REFUSEING to PAY PLAINTIFF VISITS IN THE
SPECIAL HOUSING UNIT, DENIVING PLAINTIFF
LEGAL COPIES, AND THE EQUAL PROTECTION
OF THE LAWS, PRIVILEGES AND IMMUNITIES
AS OTHES.

1. E-2 UNIT SUPERVISORS REFUSED to PROCESS
PLAINTIFFS REQUEST FOR A COVID-19 PHONE
CALL FOR INMATES ON PHONE RESTRICTIONS
AS WAS MENTIONED ON THE (E-2) HOUSING
UNIT BULLETIN.
2. COUNSELOR T. OLIVER REFUSING to PAY PLAIN-
-TIF VISITS WHILE PLAINTIFFS IN THE SPECIAL
HOUSING UNIT AND PROVIDE PLAINTIFF WITH
LEGAL COPIES, AND THE NECESSARY LEGAL FORMS
ADMINISTRATIVE REMEDIES, ETC., NEEDED
to litigate, PREPARE LEGAL PAPERS AND
ADDRESS INSTITUTIONAL CONCERNS.
3. PLAINTIFF ALLEGES THAT COUNSELOR T. OLIVER
WAS INSTRUMENTAL IN PLAINTIFF BEING
ASSAULTED AND ATTACKED ON APRIL 19, 2021
FOR INQUIRING ABOUT HIS PERSONAL FINANCE
INFORMATION ERRORS DISCOVERED ON HIS

ON his INMATE TRUST FUND ACCOUNT STATEMENT

CLAIM II

(A) CRUEL AND UNUSUAL PUNISHMENT IN THE SPECIAL HOUSING UNIT, MAIL MIS HANDLING IN ORDER TO HINDER PLAINTIFFS' LEGAL PROCEEDINGS AND ACCESS TO THE COURT.

1. OFFICERS SICLARI, OFFICER RUDDY, OFFICER YODA, OFFICER BURGH, OFFICER SCHWARTZ, OFFICER HEENAN AND OTHER UNIDENTIFIED OFFICERS SOME OF WHOM NOT WEARING NAME TAGS WORKING THE SPECIAL HOUSING UNIT FIRST AND SECOND SHIFT AT UNITED STATES PENITENTIARY CANAAN DURING THE MONTHS OF FEBRUARY 2021 THROUGH THE TIME OF PLAINTIFF BEING TRANSFERRED "THUS OFFICERS INSTIGATED AND STAGED GLADIATOR FIGHTS AMONGST PLAINTIFF AND OTHER (S.H.U) INMATES VIA A MIXTURE OF ON RECORD FILE KEEPING CIM DATA GANG AFFILIATED INFORMATION, ORDERING HITS AND USING OTHER INMATES TO CARRY THUS HITS OUT AND MONITOR OTHER INMATES PSYCHOLOGY, LIEUTENANT ETC AND LEGAL MAIL PROCESSING AND PRIVATE MEETINGS.

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2. THUS OFFICERS UNJUSTLY PLACED PLAINTIFF IN PAPER UNIFORM CLOTHING WITHOUT PROCEEDUAL DUE PROCESS OF THE LAW FOR PURPOSES OF CAUSING POTENTIAL BODILY HARM, OR BECOME VICTIM OF ASSAULT, SEXUAL ASSAULT OR POSSIBLY HAVE HIS TESTICALS TORN OUT OF SOCKET DURING A CELL ALTERCATION OR FOR PURPOSES OF SUBJECTING PLAINTIFF TO TORCHER-TEMPERATURE CELLS AS WAS DONE TO PLAINTIFF ON APRIL 22, 2021 AND APRIL 24, 2021

CLAIM III

(A.) EXCESSIVE USE OF FORCE WITH THE WANTON INFLICTION OF DONE MALICIOUSLY AND SADISTICALLY INTENT TO CAUSE PLAINTIFF BODILY HARM AND THE STAGING OF GLADIATOR FIGHTS.

1. OFFICER J. SCHWARTZ, OFFICER BURGH, OFFICER J. VODA, OFFICER ROLLISON, AND OTHER JOHN DOE OFFICERS STAGED

A gladiator fight hit between plaintiff and inmate Holmes on April 19, 2021 in order to subject plaintiff to the infliction of more pain and suffering and injuries and more rival conflict with other inmate gang and prison organizations in attempt to chill plaintiff of ordinary firmness of exercising his constitutional rights.

2. Plaintiff alleges that after the above mentioned took place officers A. BURG H, OFFICER Rollison, OFFICER J. VODA AND OFFICER J. SCHWARTZ took the attacks on plaintiff a step further by subjecting to more unreasonable amounts of unnecessary excessive force.

3. Thus OFFICER ATTACKED plain-
-tiff IN A SHOWER ROOM WHILE
PLAINTIFF WAS HAND-GUFFED
FROM BEHIND CAUSEING PLAINTIFF
TO STUSTAIN MULTIPLE INJURIES AS
OF STITCHES UNDER HIS LEFT EYE,
SWELLING TO THE FACE AND HEAD,
LOWER BACK AND OVER ALL BODY.
PLAINTIFFS LIFE IS IN IMMIENT
DANGER!

Introduction

This is a Civil Rights Complaint
 Pursuant to 28 U.S.C. § 1331 (BIVENS)
 Alleging Staff Misconduct on behalf
 of the Department of Justice, Federal
 Bureau of Prisons ranging from CRUEL
 AND UNUSUAL PUNISHMENT, DENIAL of the
 Right of PROCEEDURAL DUE PROCESS, THE
 INSTIGATION AND STAGEING of gladiator
 FIGHTS, BIAS INVESTIGATIONS, EXCESSIVE
 FORCE, PROPERTY AND MAIL MISHANDLING,
 REFUSEING to RESPOND to INSTITUTIONAL
 MAIL AND REQUESTS, REFUSEING to VISIT THE
 SPECIAL HOUSING UNIT, DENIAL of the
 Right to SEEK REDRESS via the U.S.P.
 CANAAN GRIEVANCE PROCEEDURE,
 THESE DEFENDANTS has lodged a
 CONSPIRATORY plot with a MEETING of
 THE MINDS - ORIGINATING at U.S.P. TUCSON
 ON to U.S.P. CANAAN AGAINST PLAINTIFF
 IN ORDER to INTIMIDATE, THREATEN,
 OR CAUSE bodily HARM AND to CHILL
 ONE OF ORDINARY FIRMNESS.

CLAIM I

BACKGROUND

(A)

1. ON FEBRUARY 9, 2021 PLAINTIFF ARRIVED AT UNITED STATES PENITENTIARY CANAAN ON WHAT HE ALLEGES TO BE A RETALIATORY TRANSFER FROM UNITED STATES PENITENTIARY TULSON FOR HAVING FILED CIVIL COMPLAINTS.
2. ON FEBRUARY 12, 2021 WHILE IN GENERAL POPULATION AT U.S.P CANAAN SEVERAL UNIDENTIFIED OFFICERS APPROACHED CELL #229 IN (E-2) HOUSING UNIT THE CELL PLAINTIFF WAS OCCUPYING WITH INMATE PHAM.
3. ONCE OFFICERS ARRIVED AT PLAINTIFFS CELL DOOR PLAINTIFF WAS GIVEN A DIRECT ORDER TO GET HIS INMATE IDENTIFICATION CARD AND STEP OUTSIDE THE CELL DOOR.

4. ONCE OUTSIDE THE CELL PLAINTIFF WAS INSTRUCTED TO PLACE HIS HANDS ON THE WALL WHERE HE WAS PAT SEARCHED AND CALLED OBSCENE NAMES SUCH AS - GUNNER AND DICK JACKING CREEP.

5. AT THIS POINT PLAINTIFF BECAME AWARE THAT HE HAD FORGOTTEN HIS PRESCRIPTION EYE GLASSES ON HIS BED ASKED ONE OF THE OFFICERS COULD THEY HAVE HIS CELL-MATE PHAM TO HAND HIS EYE GLASS CASE FROM OUT THE CELL AT WHICH POINT THUS OFFICERS TRAITLY REFUSED HIM AND GRABBED PLAINTIFF BY HIS ARMS AND COAT COLLAR PUSHING PLAINTIFF RUFTY AGAINST THE WALL CALLING HIM MORE OBSCENITIES AND STATEING "WE DONT DEAL WITH CREEP DICK JACKERS" SO DONT MOVE!

6. PLAINTIFF WAS THEN ESCORTED TO THE LIEUTENANTS OFFICE AND THEN TAKEN TO THE SPECIAL HOUSING UNIT WHERE HE REMAINED FOR A TOTAL OF (60) DAYS UNDER INVESTIGATION FOR HAVING A HISTORY OF ENGAGING IN A SEXUAL ACTS; PENAL CODE 205 INFRACTION.

7. PLAINTIFF MAINTAINS THAT DURING MID FEBRUARY 2021 WHILE SERVING THE (60) DAY INVESTIGATION TERM HE PREPARED A MOTION TO SHOW CAUSE AND LETTER FOR A NOTICE OF CHANGE OF ADDRESS GOING TO THE U.S DISTRICT COURT MIDDLE DISTRICT OF PENNSYLVANIA IN SCRANTON EXPLAINING HIS EMERGENCY SITUATION IN LITIGATING AND GETTING MAIL OUT OF THE PRISON (U.S.P. CANAAN) WHILE IN THE SPECIAL HOUSING UNIT AND BEING SUBJECTED TO ALL FORMS OF CRUEL AND UNUSUAL PUNISHMENT I.E., DENIED HIS LEGAL MATERIALS, LEGAL ACCESS TO THE LAW LIBRARY.

8. AND INK PENS," PROPER WRITING ITEMS. PLAINTIFF HAS ATTEMPTED TO MAIL OUT THE AFFOREMENTIONED LEGAL MAIL AND FILED FOR COMPASSIONATE RELEASE THE STIMULUS CHECKS AND BELIEVES THIS MAIL WAS NOT PROCESSED. OFFICER P. MILLER DENIED ME THE RIGHT TO SEAL THIS LEGAL MAIL.

CLAIM II

BACKGROUND

- (A)
1. ONCE PLAINTIFF ARRIVED IN THE SPECIAL HOUSING UNIT ON FEBRUARY 12, 2021 HE WAS PLACED IN THE REAR CELL #229 ON B-UPPER RANGE.
 2. PLAINTIFF ASSERTS THAT THE WITHIN FOLLOWING DAYS 2/13/21, 2/14/21 A OFFICER P. MILLER WAS CONDUCTING 4:00 P.M INSTITUTION COUNT.

And Noticed plaintiff Not standing
for the 4:00 p.m. count.

3. OFFICER P. MILLER GAVE IRATE WARN-
-INGS ON FEBRUARY 13, AND ON
FEBRUARY 14, 2021 THAT ABOUT PLAINTIFF
Failing to stand for the 4:00 o'clock
p.m. INSTITUTIONAL COUNT AND PLAINTIFF
STATED, "I DIDN'T HEAR THE OFFICERS
ANNOUNCEMENT WHEN THEY ENTERED
THE FRONT ENTRANCE OF THE RANGE.
4. At this point OFFICER P. MILLER STATED,
O.K. "I AM going to get you," AND THEN
LATER ON FEBRUARY 15, 2021 P. MILLER
ENTERED PLAINTIFFS' CELL AND CONFIS-
-CATED PLAINTIFFS' MATTRESS AND
BED FROM 4:00 p.m. - 9:00 p.m. LEAVING
PLAINTIFF IN A FREEZING COLD CELL
THAT WAS ABOUT TWENTY DEGREES
BELOW ZERO.

5. PLAINTIFF MAKES NOTE THAT THE FOLLOWING DAY OFFICERS SICLARI, OFFICER Ruddy, OFFICER Voda, OFFICER BURGH, AND OTHER UNIDENTIFIED OFFICERS SOME WHOM WERE NOT WEARING NAME TAGS APPROACH PLAINTIFFS' CELL AND PLAINTIFF A DIRECT ORDER TO SUBMIT TO HAND-RESTRAINTS
6. At this point plaintiff WAS ESCORTED OFF THE HOUSING UNIT RANGE AND PLACED IN A OBSERVATION TANK AT WHICH POINT OFFICER Voda CALLED PLAINTIFF A HOMOSEXUAL AND STATED, "WE WILL RIP YOUR DICK OFF! AS A OLDER OFFICER NOT WEARING HIS NAME TAG SAID "YOUR GETTING PUT IN PAPER CLOTHES AND IF YOU KEEP THAT SHIT UP WE'RE GOING TO PUT YOU IN A CELL WITH A INMATE THAT WILL BREAK YOUR FUCKING JAW IF YOU DO THAT SHIT IN THAT CELL.

7. PLAINTIFF ASSERTS FROM THIS DAY FOREWARD FROM FEBRUARY 12, 2021 ON THROUGH TO EARLY OR LATE MARCH 2021 APRIL 2021 THE MORNING SHIFT OFFICERS CONTINUED TO SUBJECT PLAINTIFF TO DELIBERATE AMOUNTS OF HARRASSMENT AND STAFF MIS CONDUCT. AGAIN ENTERING PLAINTIFFS' CELL CONFISCATING HIS MATTRESS SHEETS, BLANKETS, PERSONAL PAPERS, CLAIMING PLAINTIFF HAD A SOMETHING TORN IN HIS CELL CALLING PLAINTIFF A CREEP AND AND OTHER CURSE WORDS LEAVING PLAINTIFF IN A FREEZING COLD CELL THAT DIDNT FIT LAWFUL ROOM TEMPERATURES STANDARDS.

8. PLAINTIFF MAKES NOTE THAT ONCE HIS (60) DAY INVESTIGATION ENDED THE UNITED STATES PENITENTIARY CANAAN CAPTAIN APPROACHED PLAINTIFFS' CELL IN S.H.U AND ASKED HIM DID HE WANT TO BE RELEASED BACK INTO GENERAL POPULATION AND PLAINTIFF SAID YES " AND THE CAPTAIN STATED " STAFF SAID SAID YOU REFUSED TO GO OUT. PLAINTIFF THEN SAID " THATS A LIE / I NEVER REFUSED TO TO BE RELEASED " BACK OUT TO POPULATION

(8)

1. PLAINTIFF WAS RELEASED TO GENERAL POPULATION EARLY APRIL 2021 AND THE DAY OF THE RELEASE WAS CALLED INTO LIEUTENANT FRISK OFFICE AND WAS ASKED WAS THERE A REASON WHY HE COULDN'T RETURN TO GENERAL POPULATION AND PLAINTIFF STATED, "NOT OTHER THAN THE FACT THAT HE'S A F.B.O.P CIM SEPARATION CASE AND THAT OFFICERS CONFRONTED HIM ON FEBRUARY 12, 2021 AS A DICK JACKING CREEP IN FRONT OF THE ENTIRE (E-2) HOUSING UNIT. PLAINTIFF EXPLAINED HIS ISSUES WITH D.C INMATES
2. PLAINTIFF ALLEGES THAT DURING THE COURSE OF HIS STAY IN GENERAL POPULATION HE PREPARED SOME CORRESPONDENCES IN ORDER TO FILE FOR A STIMULAS CHECK COMPASSIONATE RELEASE AND PLACE MYIA CARE EXPERTS FINANCIAL ACCOUNT ALERT SERVICES ON NOTICE PUTTING THUS

COMPANY ON HIS INMATE PHONE LIST IN hopes of MAKING CONTACTS VIA A April 13, 2021 posted INSTITUTION MEMORANDUM throughout ALL U.S.P CANAAN HOUSING UNITS that DUE to the COVID-19 PANDEMIC ALL INMATES ON PHONE RESTRICTION WILL BE ABLE to MAKE ONE (15) MINUTE phone call A MONTH AS to OTHER NON-PHONE call RESTRICTED INMATES plaintiff fit the PHONE RESTRICTION REQUIREMENTS.

3. AS plaintiff MADE PREPARATIONS FOR CONTACT-ING the DIFFERANT FREE WORLD CONTACTS HE looked to his HOUSING Unit SUPERVISERS FOR ASSISTANCE BEGINING WITH A REQUEST to STAFF ASKING that HE HAVE his COVID-19 PANDEMIC phone calls ACTIVATED AS stipulated by the April 13, 2021 MEMORAN-
-dum.

4. AFTER HAVING SUBMITTED THE REQUEST TO STAFF HE WAITED THE (24) HOUR PHONE ACTIVATION PERIOD AS MENTIONED ON THE APRIL 13, 2021 MEMORANDUM BUT PLAINTIFFS PHONE CALLS WHERE NOT YET ACTIVATED.

5. PLAINTIFF SPOKE WITH THE UNIT MANAGER MR. FRIES ON THE THIRD DAY AFTER HAVING FIRST SUBMITTING THE REQUEST TO T. OLIVER FOR A EMERGENCY COVID-19 CALL AS MENTIONED ON THE APRIL 13, 2021 MEMORANDUM POSTED IN THE (E-2) UNIT BULLETIN AND MR. FRIES STATED "JUST GIVE IT SOME TIME, IT TAKES A MINUTE, PLAINTIFF NEVER RECEIVED A CALL.

CLAIM III

6. AS PLAINTIFF CONTINUED TO GET MORE SETTLE INN WHILE STILL IN GENERAL POPULATION (E-2) PLAINTIFF PREPARED A MOTION FOR COMPASSIONATE RELEASE AND NOTICED ONE DAY AFTER CHECKING HIS INMATE TRUST FUND ACCOUNT ON THE COMPUTER PLAINTIFF NOTICED WHAT HE BELIVED TO BE A ERROR SHOWING A DEBT INCUMBRANCE OF ONE HUNDRED DOLLARS ON A \$50.00, \$50.00 (BP-199) FORM.

7. PLAINTIFF BROUGHT THE ABOVE MENTION-ED ISSUES TO THE ATTENTION OF HIS (E-2) UNIT COUNSELOR T. OLIVER WHO APPEARED TO BECOME UPSET THAT PLAINTIFF WAS INQUIRING ABOUT THESE MATTERS AT WHICH POINT COUNSLOR T. OLIVER STATED, "DONT WERRY ABOUT IT," ITS PROBABLY SOMTHING YOU OLE ON A FINE OR SOMTHING AND AND PLAINTIFF SAID HE DOESNT OLE ANY ANY-thing BUT FOR PLRA COURT FILING FEES

8. At this point plaintiff asked if he could just have a copy of the print out of the \$100.00 dollar BP-199 form from off computer data and Counselor T. Oliver then stated, "No! You need to talk to the Trust Fund Supervisor. Plaintiff then said, "The inmate Trust Fund Account Supervisor never walks throughout the institution and Counselor Oliver stated, "Are ^{you} going to be out here in general population much longer? Plaintiff asked why you asking me that? Counselor T. Oliver gave off a evil sarcastic laugh and plaintiff received some 1040 stimulus check forms from the IRS and plaintiff walked away.

9. Plaintiff asserts that on one occasion inmates in (E-2) asked to walk with plaintiff to Counselor T. Oliver's office to request a copy of a print out of plaintiff's institution infraction history for engaging in a sexual acts cause this would determine whether or not plaintiff be allowed to stay in general population. PAGE 28 OF 38

11. PLAINTIFF ASSERTS THAT ON APRIL 17, 2021 PLAINTIFF WAS APPROACHED BY A (E-2) UNIT INMATE WHO TOLD PLAINTIFF THAT A FEMALE OFFICER WHO WORKS THE E-2 UNIT MORNING SHIFT THAT WEARS GLASSES CAME TO HIS CELL CAUSE HE'S A CRIP AND ASKED HIM WHO DO FIELDS (PLAINTIFF) RUN WITH - MEANING GANG OR ORGANIZATION. PLAINTIFFS' F.B.O.P FILES READS THAT PLAINTIFF IS ASSOCIATED WITH THE CRIPS. THE FEMALE OFFICER TOLD THE E-2 INMATE, "BECAUSE FIELDS IS GIVING ME THE CREEPS"

12. PLAINTIFF MAKES NOTE THAT ON APRIL 19, 2021 PLAINTIFF WAS RESTING ON HIS BUNK BED AROUND 5:30 A.M AWAITING THE OFFICERS TO UNLOCK ALL THE (E-2) UNIT CELL DOORS AT WHICH POINT A MALE OFFICER UNLOCKED PLAINTIFFS CELL DOOR AND HELD THE CELL DOOR OPEN WIDE AND JUST STARRED IN AT PLAINTIFF AND HIS CELLMATE AT WHICH POINT PLAINTIFF ASKED THE OFFICER, "IS THERE A PROBLEM?" AND THE OFFICER STATED,

YOU KNOW WHAT YOU DID TO THAT FEMALE OFFICER LAST NIGHT DURING THE MIDNIGHT COUNT AND THE OFFICER WALKED AWAY FROM THE CELL DOOR TO CONTINUE UNLOCKING THE REMAINING (E-2) UPPER TIER CELL DOORS.

B. ONCE PLAINTIFF MADE HIS BED AND BRUSHED HIS TEETH HE WAS CONFRONTED BY HIS CELLMATE WHO SAID HE WAS GOING TO THE OFFICERS OFFICE TO ASK THE OFFICER EXACTLY WHAT HE WAS TALKING ABOUT WHEN HE FIRST OPENED THE CELL DOOR REGARDING LAST NIGHTS FEMALE OFFICERS COUNTING.

14. WHEN PLAINTIFFS CELLMATE RETURNED TO THE CELL HE INFORMED PLAINTIFF THE CORRECTIONAL OFFICERS TOLD HIM WHILE IN THE OFFICE THAT PLAINTIFF WAS MASTERBATING ON THE TOP BUNK DURING INSTITUTION COUNT. PLAINTIFFS CELLMATE THEN STATED, "ITS SOME OTHER INMATES OUTSIDE THAT WANT TO TALK TO YOU ABOUT WHAT YOU DID LAST NIGHT."

I WANT YOU TO MOVE OUT OF THE CELL I
I NO LONGER WANT YOU AS MY CELLMATE

15. ONCE PLAINTIFF STEPPED OUTSIDE HIS
CELL DOOR HE WAS APPROACHED BY
ABOUT FIVE (E-2) INMATES AND ESCORTED
TO ANOTHER CELL LOCATION WHERE HE WAS
BEATEN WITH A SOLID OBJECT, ASSAULTED
AND RECEIVED STAB WOUNDS.

16. PLAINTIFF WAS ESCORTED TO THE LIEUTEN-
-NANTS OFFICE WHERE HE WAS PLACED
IN A OBSERVATION TANK WHERE HE SAT
OBSERVING A OFFICER COX ESCORTING
SEVERAL INMATES IN AND OUT OF THE
LIEUTENANTS OFFICE SOME OF WHOM WHERE
HOUSED IN (E-2)

17. AT THIS POINT A NURSE P. ZDZUARSKI
WALKED IN AND BEGAN TO QUESTION AND
EXAMINE PLAINTIFF ABOUT WHAT HAD
HAPPENED TO PLAINTIFF, WHILE NURSE
ZDZUARSKI WAS OUT OF THE OFFICE
PLAINTIFF COULD OVER HEAR OTHER INMATES
IN NEAR BY HOLDING CELLS WHISPERING
WORDS LIKE YOU BETTER NOT SNITCH!

18. ONCE NURSE Zdzarski returned to the lieutenant's office she was accompanied by a contractor nurse where they both explained to plaintiff that she (the contractor) nurse would be putting the stitches in plaintiff's bottom lip" plaintiff stated "in addition to the other injuries he had abrasions on the knees and back plaintiff was then escorted to the U.S.P CANAAN Medical department

19. Plaintiff exited the Medical department and escorted to the Special Housing Unit and placed in a holding cell where officers C. Heenan, J. Voda, J. Schwarz, A. Burgh, and Rollison, began to gather around the holding tank.

20. A older officer who wasn't wearing a name tag noticed that plaintiff had a black eye, busted lips and multiple abrasions and lacerations about the face

21 AND STATED "TO PLAINTIFF," THATS WHAT YOU FUCKIN GET! AND WE DONT HAVE YOU ON SINGLE CELL STATUS ANYMORE SO YOU GONNA BE GETTING YOUR ASS BEAT MORE, YOU DICK JACKING CREEP!

22. PLAINTIFF WAS THEN ESCORTED TO C-LOWER CELL # 158 ONCE PLAINTIFF AND HIS CELLMATE HAD THIER HAND-CUFF RESTRAINTS REMOVED A ALTERATION TOOK PLACE AS THE OFFICERS STEPPED AWAY FROM THE DOOR AT THIS POINT THUS OFFICERS RETURNED AND OPENED THE FOOD SLOT AND ORDERED PLAINTIFF AND HIS CELLMATE TO STOP FIGHT-ING (S.H.U) LIEUTENANT FRISK TOLD PLAINTIFFS CELLMATE TO GET IN THE SHOWER AND (S.H.U) LIEUTENANT FRISK BEGAN TO SHOOT PLAINTIFF IN THE FACE WITH THE 38 CALIBER O.C LUNCHER EVEN AFTER THE INCIDENT WAS QWUELLED.

23. OFFICERS J. SCHWARTZ, OFFICER BURGH, OFFICER J. VODA, JOHN DOE OFFICER AND OFFICER ROLLISON REMOVED PLAINTIFF AND HIS CELLMATE FROM THE CELL "PLAINTIFF'S CELLMATE WAS ESCORTED OFF THE RANGE AND OFFICERS J. SCHWARTZ AND OFFICER A. BURGH BOTH ESCORTED PLAINTIFF OFF THE RANGE.

24. PLAINTIFF MAINTAINS THAT OFFICER J. SCHWARTZ AND A. BURGH ESCORTED PLAINTIFF TOWARDS THE OUTSIDE RECREATION EXIT WITH J. SCHWARTZ HOLDING PLAINTIFF BY HIS LEFT ARM AND OFFICER A. BURGH HOLDING PLAINTIFF BY HIS RIGHT ARM.

25. WHEN THEY REACHED THE OUTSIDE RECREATION DOOR THEY STOPPED AND HELD PLAINTIFF AT THE DOOR EXIT WHERE OFFICER A. BURGH STATED, "NOW YOU SEE HOW THINGS HAPPENS," PLAINTIFF THEN SAID, "FUCK YOU!" AND OFFICER A. BURGH SAID, "YOU'LL FIGURE IT OUT AND THESE OFFICERS

26. ESCORTED PLAINTIFF TO A SHOWER ROOM AND JUST AS THEY WERE WALKING OFF OFFICER A. BURGH STATED "EVERY CELL WE PUT YOU IN YOU GONNA GET YOUR ASS KICKED!"
27. ONCE PLAINTIFF WAS ESCORTED TO A SHOWER ROOM WITH RUNNING WATER PLAINTIFF WAS INSTRUCTED TO DIP HIS HEAD UNDERNEATH TO CLEANSE AND WASH THE PEPPER SPRAY (MASE) FROM HIS EYES AND FACE BUT AS PLAINTIFF STEPPED CLOSER TO THE SHOWER ONE OF THE OFFICERS VIOLENTLY PUSHED PLAINTIFF'S HEAD FROM BEHIND CAUSING PLAINTIFFS TO COLLIDE AGAINST THE SIDE OF THE SHOWER PANEL.
28. PLAINTIFFS FACE AND HEAD BANGED FROM OFF THE METAL WALL PANEL CAUSING PLAINTIFF TO SPIN AROUND FACING THE OFFICER A. BURGH BEGAN PUNCHING PLAINTIFFS WITH CLUTCHED FIST. REPEATLY HARD TO THE FACE.

29. Plaintiff dropped to the floor while slightly unconscious where Officers A. Burgh and J. Schwartz continued kicking and stomping plaintiff and afterwards roughly yanked plaintiff up by the hand-cuffs, hand-restraints and escorted to a empty holding cell.
30. Afterwards plaintiff was examined by the nurses where he received a medical assessment for some new injuries and received eight stitches under his right eye and back injuries. Plaintiff was escorted to cell # 157 C-lower.
31. Plaintiff maintains that about two hours later a Officer Obloshtny escorted an inmate William Black to plaintiff's cell and gave plaintiff a order to submit to hand-restraints to except a cellmate.

32. OFFICER BLOSHNY placed William Black in the cell with plaintiff thus inmate is a associate of inmate Holmes who is from the same Washington, D.C geographic location whom was just next door in cell #158 the cell the incident with Holmes and plaintiff occurred.

33. Plaintiff listened as inmate Black explained to inmate Holmes that he was brought to the Special Housing Unit as a result of a dispute between their hometown associate of Washington D.C and the Crip Organization the organization plaintiff is on F.B.I. file as being tied to. Inmate Black on to explain that several Crips and Washington, D.C inmates were locked in the Special Housing Unit and placed into the same cells under the orders of Special Housing Unit Lieutenant Frisk where gladiator fights took place between thus two organizations

34. OVER A PERIOD OF TIME THAT PLAINTIFF AND INMATE BLACK CELL MATES OFFICERS C. HEENAN, A. BURGH, J. VODA AND THE OLDER OFFICER THAT DOESN'T WEAR A NAME TAG (JOHN DOE) WOULD SEARCH THEIR CELL AND CONFISCATE ALL OF THEIR BELONGINGS INCLUDING THEIR SHEETS, BLANKETS AND MATTRESSES AT WHICH POINT THE OLDER OFFICER NOT WEARING A NAME TAG WOULD SAY TO PLAINTIFF'S CELL MATE INMATE BLACK WERE DOING THIS BECAUSE OF (FIELD'S) PLAINTIFF YOUR CELLY BECAUSE HE'S A DICK JACKING CREEP WITH A HISTORY OF PUTTING HIS HANDS ON HIS DICK!

35. THESE OFFICERS TOOK PART ON A DAILY BASIS OF ENTERING PLAINTIFFS AND INMATE BLACKS CELL CONFISCATING EVERYTHING INSIDE, CURSE THEM TWO, DENY THEM LEGAL ACCESS TO THE LAW LIBRARY, AND RIGHT TO MAIL LETTERS, PLACE THEM IN PAPER CLOTHES AND INSTIGATE GLADIATOR FIGHTS BETWEEN THEM TWO PLACING THE ^{BLAME} ON EITHER AT ANY GIVEN TIME AS WAS WITH SURROUNDING NEIGHBORS.